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17 Attorneys for Defendants
18 UNITED AIR LINES, INC.

19 Additional Counsel Appear on Signature Page

20
21 **UNITED STATES DISTRICT COURT**
22
23 **NORTHERN DISTRICT OF CALIFORNIA**

24 KAMBIZ PAHLAVAN,
25 on behalf of himself and all others
26 similarly situated,

27 Plaintiff,

28 v.

29 BRITISH AIRWAYS PLC, VIRGIN
30 ATLANTIC AIRWAYS LIMITED, and
31 UNITED AIR LINES, INC.,

32 Defendants.

33 CASE NO. CV 06-03905-EMC
34 **STIPULATION PURSUANT TO**
35 **LOCAL RULE 6-1**
36 **AND**
37 **AGREED ORDER** ; ORDER

38 Pursuant to Local Rule 6-1(a), in light of the transfer motion now pending
39 before the Judicial Panel on Multidistrict Litigation (“JPML”) captioned *In re*
40 *International Air Transportation Surcharge Antitrust Litigation*, MDL Docket No.
41 1793, Plaintiff Kambiz Pahlavan (“Plaintiff”) and Defendants British Airways Plc,
42 Virgin Atlantic Airways Ltd., and United Air Lines, Inc. (collectively, the

1 "Defendants"), through their respective counsel, hereby stipulate and agree as
2 follows:

3 IT IS HEREBY STIPULATED AND AGREED that Defendants' time to
4 answer, move or otherwise plead is enlarged until the later of (1) the date when the
5 Defendants would otherwise be required to file a response pursuant to Federal Rule
6 of Civil Procedure 12, or (2) 45 days after the JPML rules on the pending motion
7 and consolidates each related action in a single court, and a consolidated complaint
8 is filed by all plaintiffs in the single transferee Court and served on Defendants.

9 IT IS FURTHER STIPULATED AND AGREED that each defense counsel
10 designated below shall accept service on behalf of the Defendant represented by
11 each such counsel of all complaints in the above-captioned matter, including any
12 amended or consolidated complaints, and further, that such Defendant shall not
13 contest sufficiency of process or service of process. This Stipulation does not
14 constitute a waiver of any other defense including, but not limited to, the defenses
15 of lack of personal or subject matter jurisdiction or improper venue. Nothing in
16 this paragraph shall obligate any Defendant to answer, move or otherwise respond
17 to any complaint until the time provided in the preceding paragraph. The above
18 notwithstanding, should any Defendant, except pursuant to court order, respond to
19 any complaint in a related matter filed in another United States District Court prior
20 to the date contemplated by this stipulation, then such Defendant shall make a
21 simultaneous response to the complaint in the above-captioned matter.

1 Respectfully submitted,

2 Dated: July 21, 2006

COTCHETT, PITRE, SIMON & McCARTHY

3 /s/

4 Bruce L. Simon (SBN 96241)
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10 Dated: July 21, 2006

11 *Attorneys for Plaintiff Kambiz Pahlavan*
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13 /s/

14 Edward D. Johnson (SBN 189475)
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18 Dated: July 21, 2006

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23 /s/

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Attorneys for Defendant British Airways Plc

1 Dated: July 21, 2006

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2 /s/

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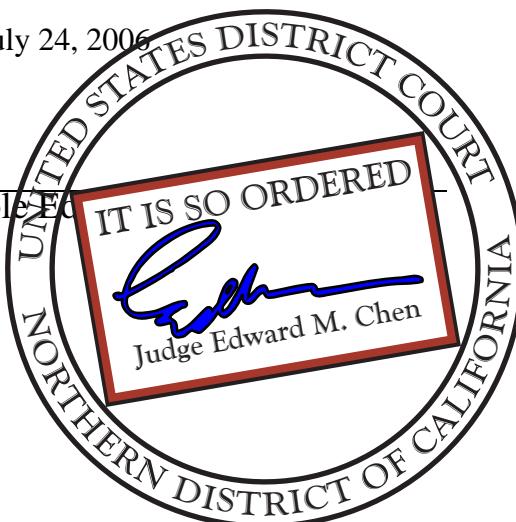
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8 425 Lexington Avenue
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9 *Attorneys for Defendant Virgin Atlantic
Airways Limited*

10 PURSUANT TO STIPULATION,
11 IT IS SO ORDERED:

12 Date: July 24, 2006

13 Honorable Edward M. Chen



PROOF OF SERVICE

I am employed in Santa Clara County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Two Palo Alto Square, Suite 300, Palo Alto, California 94306-2112.

On July 21, 2006, I served the foregoing document(s) described as U.S.

**STIPULATION PURSUANT TO LOCAL RULE 6-1
AND
AGREED ORDER**

on each interested party, as follows:

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Palo Alto, California addressed as set forth below.
- by placing the document(s) listed above in a sealed facsimile & U.S. Mail envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a facsimile & U.S. Mail agent for delivery.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

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I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on July 21, 2006, at Palo Alto, California.

/s/
Shana M. Ryan